

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED

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CLERK'S OFFICE
U.S. DISTRICT COURT
EASTERN MICHIGAN

JAMES BAILEY, as Personal
Representative of the Estate of
Jane Bailey, deceased, and ROBERT
BAILEY,

Plaintiffs,

Case No.: 11-14199-GCS-MAR

Judge: George Caram Steeh

vs.

NYLONCRAFT, INC.,

Defendant.

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ORDER FOR ATTORNEY FEE AND COST DISTRIBUTION

At a session of said Court, held in the Courtroom thereof, located in the City of Detroit, County of Wayne and State of Michigan,

ON: December 12, 2012

PRESENT: HON. GEORGE S. STEEH,
U.S. DISTRICT COURT JUDGE

The Court, having been duly advised in the premises and understanding the confidential nature of said settlement.

IT IS HEREBY ORDERED that the "Total Settlement Proceeds" identified in the "Confidential Settlement – Exhibit A Distribution of Proceeds" document reviewed by the Court in camera be processed as follows:

A STRUCTURED SETTLEMENT FUNDS

Those funds identified as "Net to Plaintiffs" in the "Confidential Settlement – Exhibit A Distribution of Proceeds" document reviewed by the Court in camera necessary to purchase structured settlement annuities for James Bailey, Michael Bailey, and Robert Bailey shall be paid directly to the life insurance companies identified in the "Confidential Settlement – Exhibit A Distribution of Proceeds" document reviewed by the Court in camera.

B. PROCEEDS OF IMMEDIATE CASH TO JAMES BAILEY, MICHAEL BAILEY and ROBERT BAILY – EXCEPTION A TRUST

The funds identified as "Net to Plaintiffs" in the "Confidential Settlement – Exhibit A Distribution of Proceeds" document reviewed by the Court in camera not used to purchase the aforesaid structured settlement annuities for James

Bailey, Michael Bailey and Robert Bailey, shall be deposited into the IOLTA Trust Account of FRANCIS M. FITZGERALD, P.C., maintained at Fifth Third Bank and upon the settlement checks clearing, funds to be distributed to James Bailey, Michael Bailey and the Robert J. Bailey Exception A Trust, James W. Bailey, Trustee.

C. PROCEEDS TO OTHER INTERESTED PARTIES

Equal amounts as identified in "Confidential Settlement – Exhibit A Distribution of Proceeds" document reviewed by the Court in camera to be distributed to Marla Trippell, Mark Mikelait and Robert Mikelait

D. ATTORNEY FEES / COSTS

The total attorney fees and costs identified in the "Confidential Settlement – Exhibit A Distribution of Proceeds" document reviewed by the Court in camera are also to be deposited into the IOLTA Trust Account of FRANCIS M. FITZGERALD, P.C., maintained at Fifth Third Bank and to be distributed as follows:

1. Upon the settlement checks clearing, FRANCIS M. FITZGERALD, P.C. shall receive those attorney fees and costs designated to FRANCIS M. FITZGERALD, P.C. as identified in the "Confidential Settlement – Exhibit A Distribution of Proceeds" documents reviewed by the Court in camera.
2. The balance of the attorney fees / costs not paid to FRANCIS M. FITZGERALD, P.C., identified in the "Confidential Settlement – Exhibit A Distribution of Proceeds" document reviewed by the Court in camera shall be held in the FRANCIS M. FITZGERALD, P.C. IOLTA Trust Account

maintained at Fifth Third Bank until an Order is entered by this Court directing FRANCIS M. FITZGERALD, P.C., to disburse said balance of attorney fees and costs to ROBERT DARLING, PLLC and SOMMERS SCHWARTZ , P.C., in amounts specified by this Court's later Order.

3. FRANCIS M. FITZGERALD, P.C., is to make no distribution of the balance of attorney fees and costs to either ROBERT DARLING, PLLC and/or SOMMERS SCHWARTZ, P.C., without specific Order from this Court identifying costs and attorney fees payable to each firm.

E. FIFTH THIRD BANK – NO LIABILITY

Fifth Third Bank has no liability or responsibility for any distribution of funds as directed by this Court in this Order. All attorneys and/or persons endorsing the settlement check have authority to do so on behalf of their respective law firms.

IT IS SO ORDERED.

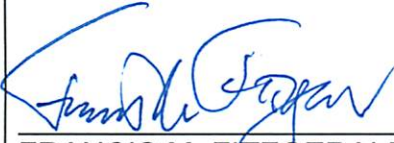


GEORGE C. STEEH
U.S. DISTRICT COURT JUDGE

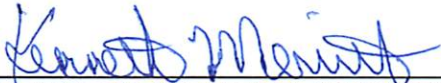
Approved as to form:



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